

**National EPA-Tribal Science Council (TSC)
Spring 2017 Face-to-Face Business Meeting
In Conjunction With the
Region 8 Regional Tribal Operations Committee (RTOC) Meeting**

Grand Gateway Hotel and Ramada Rapid City
N. Lacrosse Street
Rapid City, South Dakota

June 20 – 22, 2017

MEETING SUMMARY

Tuesday, June 20, 2017

Welcome, Introductions, Roll Call and Invocation

Suzie Mesteth, Oglala Sioux Tribe; Mike Durglo, Confederated Salish and Kootenai Tribes (CSKT), Region 8 RTOC Chairman; Callie Videtich, EPA Region 8; Pat Rodgers, EPA Region 8; Jeff Mears, Oneida Nation, TSC Tribal Co-Chair; Dave Jewett, EPA Office of Research and Development (ORD), TSC Agency Co-Chair

Following the presentation of colors and traditional blessing by the Oglala Sioux Color Guard, Suzie Mesteth welcomed the participants, noting that the tribe is happy to host the meeting and meet with EPA. Callie Videtich explained that the meeting provided an interesting opportunity to work together, and she looked forward to the exchange of ideas.

Dave Jewett thanked the Oglala Sioux Tribe for hosting and the Region 8 RTOC for allowing the TSC to be involved. This is an historic occasion, as the TSC has never co-located its meeting with an RTOC meeting. He hopes that the Council can continue to meet with RTOCs on an annual basis. He explained that the TSC examines environmental science issues that affect tribal communities, and the focus of this meeting will be lead exposure in tribal children.

Jeff Mears explained that the former TSC Tribal Co-Chair had to step down unexpectedly, so he is acting as interim Tribal Co-Chair until the new Co-Chair is selected in December. He congratulated Mike Durglo on the well-deserved award that he recently received for his work on climate change. Jeff explained that the TSC was formed as the result of a request in 1999 by the National Tribal Caucus of the National Tribal Operations Committee (NTOC). The TSC has the opportunity to differentiate itself by making tribes aware of beneficial EPA science tools and by informing EPA about tribal science issues of concern. It is important that the TSC remain focused on the science and tools that can help tribes without the fear that EPA wants to take tribal data and information. Tribes also can learn from other tribes and states.

Pat Rodgers explained that two Region 8 tribal priorities are tribal consultation and tribal treaty rights. In terms of consultation, each tribe's process may be different; a general template can be tailored to an individual tribe's needs. Tribal treaty rights are more complex and very important. Collaboration is necessary, but tribes also must assert their rights. Better dialogue leads to better understanding as EPA moves forward with tribes. Mutual, formal education may be beneficial as well.

Mike remembered the 2013 TSC Traditional Ecological Knowledge (TEK) Workshop, during which the members were invited into the Onondaga Nation's longhouse to hear elders, including Oren Lyons, speak. The TSC has come a long way in terms of promoting TEK, although sometimes it is not possible to see

the fruits of the Council's labor until years later. He referenced the Two-Row Wampum, noting that the journeys may be separate, but both canoes are working toward the same goal.

Caucus Sessions

The Tribal Caucus and EPA Caucus met separately to discuss Caucus business.

TSC Lead Panel With the Region 8 RTOC

The TSC and Region 8 RTOC members heard five presentations about lead exposures and children's health, including both EPA and tribal perspectives.

Overview of Children's Health, Lead Exposure in Children and Direct Implementation

Amanda Hauff, EPA Office of Chemical Safety and Pollution Prevention (OCSPP)

Amanda Hauff stated that she wanted to inform the participants about EPA and other federal agency efforts to address lead exposure in Indian country. She explained that lead is a naturally occurring element that can be toxic to humans. It can be found in all parts of the environment, including in homes. Most human exposure comes from human activities (e.g., fossil fuel use, lead-based paint). Lead and lead compounds can be found in a wide variety of products, including ceramics, plumbing materials, batteries and cosmetics. EPA's main focus is lead paint in homes, and the Agency is examining this issue holistically.

Lead is particularly dangerous to children because they absorb it more than adults, and their brains and nervous systems are more sensitive to lead's damaging effects. Even low levels of lead in children's blood can result in a variety of health effects, including behavior and learning problems, lower IQ, hyperactivity, and slowed growth. A pregnant woman's exposure to lead is of particular concern because lead can cross the placental barrier and result in reduced growth of the developing baby and/or premature birth. Lead also is harmful to adults, leading to cardiovascular effects, decreased kidney function and reproductive problems.

OCSPP works closely with EPA's tribal partnership groups, tribes and other interested parties to understand and assess successes, needs and challenges, allowing the Agency to create strategies to address lead in Indian country. This effort is holistically aligned with current federal lead work to reduce childhood lead exposures. The President's Task Force on Environmental Health Risks and Safety Risks to Children has three key objectives: (1) identify priority environmental health and safety risks to children to address through research, programmatic collaboration, and outreach and education; (2) recommend and implement federal interagency actions; and (3) communicate information to federal, state and local decision makers on protecting children from environmental health and safety risks. The task force includes representatives from 11 federal agencies and six White House offices. The EPA Administrator and U.S. Department of Health and Human Services Secretary serve as co-chairs. The task force's Chemical Exposure and Lead Subcommittees have aligned their current work with EPA's and have included the NTOC to focus on lead in Indian country.

The report *Key Federal Programs to Reduce Childhood Lead Exposures and Eliminate Associated Health Impacts* catalogs federal efforts to understand, prevent and reduce various sources of lead exposure among children. It provides a starting point for a comprehensive federal lead strategy and will enable increased coordination and collaboration among federal agencies to further protect U.S. children. Two addendums are being considered for the report, one on Indian country and one detailing available grants.

EPA's Environmental Justice Strategic Plan focuses on the environmental and public health issues confronting the country's minority, low-income, tribal and indigenous populations. The strategic plan

identifies lead as a significant national environmental justice challenge and identifies the goal of eliminating disparities in childhood blood lead levels. EPA will take action to address childhood lead exposures and health disparities in a holistic manner to focus Agency resources, technical assistance and comprehensive solutions to reduce sources of lead contamination in overburdened communities. EPA plans to take action to increase technical assistance and develop community-based approaches. OCSPP plans to identify gaps and tools to determine the focus of the work; the office also is exploring tribal opportunities to address lead exposure. Amanda invited tribes to provide feedback to guide the work.

Callie commented that Region 8 began a blood lead testing effort, but EPA had significant challenges in performing this effort. It was necessary to partner with the Indian Health Service (IHS) to obtain data. Amanda agreed, noting that a collaboration could allow EPA to obtain trend data.

An RTOC member asked whether there were indications that blood lead levels are disparate in Indian country. Amanda responded that this appears to be the case, and the office is working to obtain data. The RTOC member asked whether data had been obtained from the Special Supplemental Nutrition Program for Women, Infants, and Children (commonly known as WIC). Amanda replied that EPA had tried to obtain these data but was unable to.

EPA Lead Program

Darlene Leonard, EPA OCSPP

Darlene Leonard explained that OCSPP has responsibilities under the Residential Lead-Based Paint Hazard Reduction Act. The Toxic Substances Control Act was recently amended in regard to Title IV (lead exposure reduction). The office developed the Lead-Based Paint Abatement Program, which provides national training and certification infrastructure for lead-based paint abatement and inspection professionals; two tribes (Cherokee Nation and Bois Forte Band of Chippewa) are authorized under this program. The Renovation, Repair and Painting Program provides national training and certification infrastructure for renovators in pre-1978 housing; one tribe (Bois Forte Band of Chippewa) is authorized.

OCSPP provides support under the National Lead Laboratory Accreditation Program, which implements minimum standards for laboratory analysis of lead. Samples must be analyzed by a laboratory recognized by EPA under the program. A previous tribal lead grant program awarded more than \$8 million to 105 tribes for public education and blood screening. OCSPP provides outreach on its Lead Paint Program via a website and the National Lead Information Center. National Lead Poisoning Prevention Week occurs annually in October, and EPA partners with the U.S. Department of Housing and Urban Development (HUD) and the Centers for Disease Control and Prevention to develop materials and events. More than 35 countries observe the International Lead Poisoning Prevention Week of Action. OCSPP has a lead-related outreach pilot project in six cities. EPA also has performed tribal lead outreach, with Region 8 developing a tribal renovation, repair and painting video and Region 1 developing a video entitled, *How Mother Bear Taught the Children About Lead*. Both videos are available on the YouTube website. The office also developed the *Little Moccasins Training Manual*. The office would like to update its culturally sensitive tools and maximize their distribution.

Region 5 Perspective: Oneida Nation Lead Program

Jeff Mears, Oneida Nation

Jeff noted that lead has been known to be dangerous for some time; for example, Benjamin Franklin wrote a letter regarding lead and its dangers centuries ago. Jeff then provided background information on the Oneida Nation, which was established in what is now Wisconsin in 1838. The reservation is overlaid by five municipalities and two counties, and the tribe leases land to large chain stores and operates casinos, a gas station and a bank. He explained that the seal of the state of Wisconsin includes a lead

miner and 13 ingots of lead. The state was nicknamed the Badger State because miners dug tunnels into hillsides looking for lead, and these tunnels reminded people of badgers.

The Oneida Nation has a Direct Implementation Tribal Cooperative Agreement (DITCA) that allows tribal staff to work on behalf of EPA. The tribe performs lead outreach under EPA's authority. EPA asked the Oneida Nation to perform outreach to other tribes, but as sovereign nations, this was not appropriate. Jeff explained that the Oneida Nation Museum sold rattles filled with lead shot that leaked. He ordered a recall, but the museum was resistant to an instant recall and instead wanted to delay to develop a plan to deal with public perception and refunds. As this was an immediate health threat, the recall was issued immediately despite the museum's resistance.

Under the DITCA, the tribe also offered renovation, repair and painting training. Oneida staff and contractors offered three classes to workers who might encounter lead in the course of their work. The training was successful but has not continued because of lack of funding. EPA must stay engaged with tribes, which know that they will not be inspected, to increase lead outreach activities. The Oneida Environmental Health and Safety Division, which receives EPA funding, has a memorandum of agreement (MOA) with the Oneida Community Health Services Department, which receives IHS funding. These different sources of funding create an artificial division between the two organizations. Changing tribal funding mechanisms would help to address this issue. Jeff also noted the importance of obtaining a binding agreement. The Oneida Community Health Services Department has an MOA with Brown County. As a result, the county now refers Oneida lead cases to the Oneida Environmental Health and Safety Division, including one where the source of lead was found to be the grandparents' house. The tribe also has children's outreach materials that are displayed at various events. Jeff wanted to provide lead testing but was told that lead testing does not occur when there is no lead problem, leading to the question of how to know a problem exists if testing is not performed.

The Region 5 Regional Administrator resigned over the lead in drinking water problem in Flint, Michigan, which is an example of a government failing to provide safe water. Jeff also cited a case in which a judge ordered that children affected by lead receive an annual payment in compensation; companies offered the parents a lump-sum buyout to assume the payments, which in many cases was detrimental to the affected children. This issue is insidious because lead presents a lifetime issue for affected children. Although lead no longer is in U.S. paint or gasoline, it still is present in some drinking water.

An RTOC member asked how the tribe had handled the case of exposure from the grandparents' house. Jeff said that although his division could not take action, providing information was key. The grandparents were instructed on how to clean up the house.

Region 8 Perspective: Tribal Lead Program

Michelle Reichmuth, EPA Region 8

Michelle Reichmuth explained that Region 8 includes 27 tribal nations located on 26 reservations. Approximately 40 percent of all lands that constitute Indian country in the United States are contained within Region 8. One major Region 8 initiative is the Tribal Housing Lead Screening Program, under which all surfaces in approximately 1,500 homes, Head Start facilities and schools were screened for lead-based paint hazards. The results were provided to the building occupants, who were given education and information about lead poisoning and exposure prevention. The effort is a collaboration with other federal agencies, with the goal of implementing preventive measures and building a case for hazard abatement and removal. Michelle described three cases identified under the program. Homes with lead-based paint where children younger than 6 years of age live were identified to HUD so that the agency could budget funds to abate the hazards in those homes. A family with a 17-month-old child living in a Bureau of Indian Affairs-owned home with lead paint was moved to a lead-free home while lead hazards

were abated in the vacated home. A home day care facility with four children younger than age 5 was immediately relocated to a safer place after lead-based paint was discovered.

Because it is difficult for each tribe to own and maintain an X-ray fluorescence (XRF) analyzer, Region 8 met with tribes to explain how to use the EPA XRF analyzer and coordinate home visits. EPA also explained to tribes the resources available if lead problems were identified. Region 8 also provided training to tribes about lead inspection, risk assessment and abatement to help build capacity. Michelle reiterated that the region had developed a 2-minute video about renovation, repair and painting that is available on the YouTube website (www.youtube.com/watch?v=XqUssA-PsD0). She also reiterated that Region 8 had tried to implement lead testing but had to revise its plan and partner with IHS.

The Rocky Mountain Region Pediatric Environmental Health Specialty Unit (PEHSU)

Mark Anderson, Rocky Mountain Region PEHSU

Mark Anderson explained that PEHSUs provide an evidence-based approach to helping children with environmental concerns. The PEHSU model no longer is unique to the United States, with PEHSUs now in Africa, Mexico, Canada and Spain. PEHSUs bring together a diverse group of technical specialties. Although Region 8 is physically vast, it contains a relatively small population, so “champions” in Montana, Utah and Wyoming are designed to serve as “mini PEHSUs.” These champions consult with one another and with the main PEHSU located in Denver, Colorado. It has been difficult, however, to reach North and South Dakota.

The action level in the 1960s was 60 micrograms per deciliter ($\mu\text{g}/\text{dl}$); the current action level is 5 $\mu\text{g}/\text{dl}$. The half-life of lead in bones may be as long as 20 years. Children with blood levels higher than 50 $\mu\text{g}/\text{dl}$ have obvious signs of lead exposure, but testing is needed to determine lower exposures in children. These exposures can result in inhibition of hemoglobin synthesis, impaired vitamin D metabolism, and decreased brain functions. Even at levels of 2 $\mu\text{g}/\text{dl}$, negative effects on IQ are seen. No lead level is considered “safe.”

During investigations in Denver, lead-based paint was most commonly identified as the original source of exposure. Knowing the local epidemiology is important to address the problem; in Denver, nearly 5,000 children tested between 2000 and 2005 had blood levels between 5 to 9.9 $\mu\text{g}/\text{dl}$. Mark described specific cases, including a family in South Dakota whose 4.5-year-old child had a blood lead level of 27 $\mu\text{g}/\text{dl}$. The lead source was not obvious, and EPA was determined to get the home inspected. The Agency contacted the PEHSU, which was able to obtain funding for the inspection from a foundation. Although the PEHSU is not allowed to use its resources for home inspections, it can work with organizations that can. A second case involved a Somali refugee family with eight children. After two home inspections, the source of lead could not be determined. The PEHSU fought for a third inspection, which ultimately revealed the source to be a cooking pot brought from Somalia. Persistence is key.

PEHSUs provide outreach and education regarding various aspects of children’s environmental health, including some work with tribes. Three regional PEHSUs, in partnership with other federal agencies, sponsored the 2007 Tribal Nations Children’s Environmental Health Summit, during which 150 participants discussed environmental issues that affect tribal children.

An RTOC member asked whether “fidget spinners” presented a lead exposure problem. Mark responded that any item with colored paint could be a potential source of exposure, especially those made in Mexico and China. He has not seen any cases specific to fidget spinners, but he would not be surprised if they were found to be a source of lead exposure. Suzie added that they are known to contain mercury.

An RTOC member asked about the lead risks in obsolete mobile homes. Mark responded that stick-built homes generally have more associated lead exposures than mobile homes.

Dewey-Burdock Uranium Mining Site: Update on Roles of EPA—Status Brief

EPA Underground Injection Control (UIC) Program: Draft Permits and Proposed Aquifer Exemption at the Dewey-Burdock In Situ Uranium Recovery Site Near Edgemont, South Dakota

Douglas Minter, EPA Region 8

Callie explained that Regions 6, 7 and 8 will continue to consult with tribes about the Dewey-Burdock site, and permits will not be issued if the science does not support this issuance. She introduced Douglas Minter, who explained that EPA's UIC Program is authorized under the Safe Drinking Water Act to protect underground drinking water sources by regulating injection wells and activity. Injection wells are classified in six classes, and portions of an underground source of drinking water may be exempted from protection under the program based on certain criteria.

The Region 8 UIC Program issued two draft area permits on March 6, 2017. One draft permit is a Class III Area Permit for injection wells for the *in situ* recovery of uranium in Inyan Kara aquifers. The second draft permit is a UIC Class V Area Permit for deep injection wells that will be used to dispose of *in situ* recovery process waste fluids into the Minnelusa Formation after treatment to meet radioactive and hazardous waste standards. EPA also is proposing an aquifer exemption approval in connection with the Class III Area Permit to exempt the uranium-bearing portions of the Inyan Kara Group aquifers. EPA has released for comment a draft Environmental Justice Analysis, a draft Cumulative Effects Analysis, and a draft document explaining the process and considerations for the National Historic Preservation Act (NHPA) of 1966 Section 106 Tribal Consultation. Douglas displayed a map of the site, noting the locations of the 14 different well fields for proposed development. He also displayed a cross-section image of the vertical extent of the Inyan Kara aquifer exemption boundary, which lies a few hundred feet below the surface.

The Class III permit requires postrestoration monitoring following the restoration of the well-field groundwater. The purpose of this monitoring is to ensure that *in situ* recovery contaminants do not cross the aquifer exemption boundary into the Inyan Kara aquifers down-gradient of the well fields, which are underground sources of drinking water. This is a new requirement to ensure that the down-gradient underground source of drinking water is protected. This Class V permit requires the most protective well construction requirements under UIC regulations. Numerous requirements exist for rigorous geologic and hydrologic characterization to verify that injection activity will not cause migration of injectate into underground sources of drinking water. The company must demonstrate that the Minnelusa Formation is not an underground source of drinking water in the area where injection is proposed. The Class V permit does not allow injection into an underground source of drinking water and requires the injectate to be treated to below radioactive and hazardous waste standards.

EPA's policy is to consult on a government-to-government basis with federally recognized tribal governments when EPA actions and decisions may affect tribal interests. EPA views consultation as a process of meaningful communication and coordination between EPA and tribal officials prior to EPA taking actions or implementing decisions that may affect tribes. In terms of the tribal consultation for the Dewey-Burdock permit process, EPA held informational meetings with all tribes with possible interest in the site, as well as "inform and educate" sessions to provide background information and an opportunity for questions and discussion. Letters mailed on November 25, 2015, provided notification of the opportunity for formal consultation with EPA. Eight tribes contacted EPA and expressed interest in government-to-government consultation. EPA would like to continue consultation with interested tribes, particularly those that view the Black Hills as a sacred site. EPA also has plans for addressing its NHPA obligations.

Craig Kreman asked whether UIC precedence had been set in other regions. Douglas responded that because implementation of the program in South Dakota is direct, these will be EPA's first proposed

permits for *in situ* recovery of uranium. Some states (e.g., Wyoming, Nebraska, Texas) have UIC programs that have been delegated by EPA. The state of Wyoming has been permitting *in situ* recovery of uranium under EPA-delegated authority for 20 to 25 years. Therefore, it is not a precedent in that sense.

Mike asked whether a clean-up plan is in place if the contaminants leave the confinement of the permitted area. Douglas responded that the Nuclear Regulatory Commission (NRC) regulates the clean-up process or delegates clean-up authority. EPA has enforcement authority if the permit is violated and ensures that the down-gradient aquifers are protected.

An RTOC member and Douglas discussed the characteristics of the company seeking the permit, noting that the name has changed and the international nature of the company could leave U.S. taxpayers responsible for the cost of any necessary cleanup. The company is required to pay a bond that will be used if cleanup is necessary, and it understands the technical aspects of restoration. The RTOC member recommended that EPA not defer its authority over the NHPA process to the NRC. In response to a question from the RTOC member, Douglas explained that it is possible that the Class III permits will be authorized but not the Class V permits. The RTOC member noted the far-reaching implications of permitting this site.

Mike recessed the meeting at 4:36 p.m.

Wednesday, June 21, 2017

Caucus Sessions

The Tribal Caucus and EPA Caucus met separately to discuss Caucus business.

Caucus Report Outs

Jeff provided highlights of the Tribal Caucus discussion, noting that the Tribal Representatives had discussed the organizational document and the need to be transparent and have a clear goal to move forward effectively. The TSC is a unique tribal partnership group because it includes EPA Representatives, and it is important to work together as a team, even within the tribally driven framework of the Council. Energy should come from both sides of the TSC.

The Tribal Representatives would like alternates appointed for each region and would like to work with their regional EPA counterparts. It also is important to coordinate and make connections with other EPA tribal partnership groups. It would be beneficial to send the Co-Chairs to meetings of EPA's tribal partnership groups and invite their chairs to TSC meetings. This would allow the TSC to be proactive and help each group meet its science needs.

The Tribal Caucus plans to elect a Vice Co-Chair in addition to a Co-Chair during the December TSC meeting so that a plan is in place should the Co-Chair have to step down unexpectedly. The Vice Co-Chair also will assume duties when the Co-Chair is absent. The Tribal Caucus also would like to establish a workgroup devoted to developing outreach materials for the upcoming Tribal Lands and Environment Forum, which begins on August 14. Finally, it would be helpful to include a flow chart in the organizational document within the "Flow of Information" section.

Bob Hillger asked whether the Tribal Co-Chair was required to serve on the TSC for a specific length of time before being elected. Jeff responded that this was not discussed by the Tribal Caucus. Craig added that he thought that the Co-Chair should be a member for at least 1 year. Jeff noted that it is important to consider qualifications when selecting a Co-Chair, and previous Co-Chairs who remain on the Council

can assist the new Co-Chair. Monica Rodia told the Tribal Caucus to inform her of any needs pertaining to the upcoming election.

Craig asked about the Region 6 EPA Representative vacancy. Dave explained that he and Curtis had met with the former Region 6 EPA Representative, Mark Allen, about his replacement. A name has been put forth but has not been approved. Carol Kriebs asked about the Region 8 vacancy. Monica explained that Fred Hauchman would be discussing this during his meetings with Region 8, which he had left for that morning.

Dave provided the report out for the EPA Caucus, agreeing that the TSC's uniqueness is its strength. He agreed that RTOCs and tribal partnership groups should be included in every TSC face-to-face meeting. After December, Dave will continue to serve as the TSC's ORD Representative, but Fred will be selecting the new EPA Co-Chair. Dave will work with the new Co-Chair and share his institutional knowledge. Monica added that the new Co-Chair will come from ORD.

The EPA Caucus also discussed what EPA can do for tribal communities. For example, lead is an important priority for EPA currently, so the TSC should ensure that it is an important issue for the tribes as well. Beth Jackson added that the EPA Representatives also discussed communication. It would be great to develop a tribally focused *Science Matters* issue, which has broad circulation among Agency staff. Monica was unsure of the production schedule, and Carol stressed the need to give tribes enough time to submit articles. Craig agreed that sharing tribal success stories in such a publication would be useful. Suzanne Fluharty thought that *Science Matters* is "fluff," and the TSC should aim for a more substantive publication. Dave said that email information would be included with each article so that readers could obtain more information if they desired. Jeff noted the importance of finding a balance in writing that is informative but not so technical as to dampen interest. Bob asked whether the articles included in the issue would need to be about TSC activities. Carol thought that all stories are interrelated, and it should not matter if the tribal success stories are derived from TSC activities. Craig suggested adding "highlight tribal success stories" to the TSC's goals in the organizational document.

Jeff asked whether it will be possible for any EPA Representatives to attend the Tribal Lands and Environment Forum. Beth responded that her office tries to send staff to this meeting each year, but travel budgets are particularly tight this year. Monica said that she could ask her management about some support. Jeff, Carol and Craig will attend the forum. A workgroup that includes Jeff, Carol, Amanda, Dave, Monica and Mary Powell was formed to develop outreach materials for the Tribal Lands and Environment Forum. Amanda recommended partnering with the National Tribal Toxics Council, which will have a booth at the forum.

RTOC Session With the TSC: Tribal Solid Waste Studies

The TSC and Region 8 RTOC members heard three presentations regarding tribal solid waste issues in Region 8.

Tribal Case Study #1: Oglala Sioux Tribe *Leslie Mesteth, Oglala Sioux Tribe*

Leslie Mesteth described her tribe's solid waste management program for fiscal year 2017. The 10-acre landfill is at capacity, and after being out of compliance, the landfill was covered, and the program will manage the site appropriately. Workers now are trained and certified, and the program is in complete compliance. Her goal is to run a transparent program to provide reliable solid waste operations. In addition to the landfill site, the tribe also manages 11 transfer sites. The program has received landfill expansion grants and a U.S. Department of Agriculture grant for comprehensive plan development. One

future plan is to turn an existing location into a recycling center. Leslie described a recent fire that occurred at the landfill and the program's response.

An RTOC member asked whether the tribe was required to notify elders living near the landfill in the event of a fire or other emergency situation. Leslie explained that the landfill is in a remote area with no nearby residences. If a fire moves within 10 miles of residences on the reservation, the information is broadcast.

An RTOC member asked about the paper trail for audits. Leslie responded that her funding comes from a tribal general fund and has no federal reporting requirement.

Tribal Case Study #2: Tribal Pesticide Program Council

Irving Provost, Oglala Sioux Tribe, Tribal Pesticide Program Council (TPPC)

Irving Provost explained that two pesticides have secondary kills from animals feeding on animals that have consumed the pesticides. It is important that pesticide applicators be properly trained. The TPPC works under the Federal Insecticide, Fungicide, and Rodenticide Act, and funding for states and tribes to enforce this statute should be in EPA's fixed-cost budget. The TPPC has developed a strategic plan for Indian country for priorities related to pesticides and also has encouraged other tribal partnership groups devoted to other media (e.g., air, water) to establish priorities. One priority of the TPPC is to work with these other groups and network. It is important for these groups to support the science involved in protecting the environment and addressing climate change. He encouraged people to abandon the artificial notion of the 40-hour work week and work instead on taking action and accomplishing things no matter how much time it takes.

In response to a question from an RTOC member, Irving explained that no criteria for comprehensive sampling of groundwater for pesticides exist. It is necessary to develop additional analytical methods and increase efficacy.

An RTOC member asked about herbicides and noxious weeds. Irving replied that herbicides are applied to noxious weeds in the fall so that the roots take up the herbicide.

In response to a question about restricted use, Irving explained that it is a redundancy because his tribe has its own codes and reciprocity with the state. Applicators licensed in South Dakota are licensed for tribal lands. He recommended that all land-based tribes write their own code. A participant added that her tribe coordinated with the state to address a misapplication just outside of the reservation; the tribe and state worked together to resolve the case.

Tribal Case Study #3: CSKT

Marlene McDanel, CSKT

Marlene McDanel presented about several waste noncompliance cases that had occurred on the CSKT reservation. These examples highlighted the importance of building trust and relationships with other governments, the need for all programs (e.g., environmental, housing) to work together to collaboratively solve problems, and the benefit of developing official ordinances to help with enforcement issues.

Mike recessed the meeting at 4:12 p.m.

Thursday, June 22, 2017

TSC Business

During the morning TSC business session, the Council members discussed the TSC Organizational Overview Document. Kristen LeBaron recorded the revisions directly into the document using the track changes feature of Microsoft Word.

Joint RTOC/TSC Lunch Presentation: CSKT Environmental Advocates for Global and Local Ecological Sustainability (EAGLES) Program

Mike Durglo, CSKT

Mike presented about his tribe's youth program to promote ecological sustainability. His presentation can be found at the end of the summary.

TSC Business

During the afternoon business session, the TSC members discussed potential priorities and identified the following as areas of focus for the next fiscal year and beyond:

- Citizen science.
- E-Enterprise for the Environment.
- Communication and outreach (e.g., *Science Matters*, newsletter, website).
- Webinar-based training (water quality criteria, human health risk assessments).
- New Toxic Substances Control Act tribal data and needs.
- The science component of EPA's lead program.

The TSC members discussed the upcoming schedule of the TSC Science Seminar Series. Because of the technical difficulties experienced during the lead panel session, the presentations will be provided again during the next three months. Amanda and Darlene will present in July, Trevor White and Jeff will present in August, and Michelle and Mark will present in September. October's seminar will feature a presentation by Craig regarding lead risk and Superfund sites. The day of the TSC monthly teleconference will be changed to the third Tuesday of each month.

In regard to the TSC Fall 2017 Face-to-Face Meeting, which will be held December 4–8, 2017, in Phoenix, Arizona, the TSC members identified the following potential topics:

- Institute for Tribal Environmental Professionals (ITEP) training on issues important to Region 9 (e.g. climate vulnerability/responding to ecological variations).
- Citizen science training.
 - Local Environmental Observer (commonly known as LEO) Network.
 - Data analysis tools for tribes.
 - Tribal Air Monitoring Support Center partnership.
 - Tribal ecoAmbassadors and their work on sensors.
 - Region 9 tribal citizen science projects/efforts.

The Agenda Development Team for the fall meeting will include Jeff, Dave, Monica, Orville Huntington, Carol, Craig (or current Region 6 Tribal Representative, as appropriate), Carley Whitecrane and Kai Tang. The first meeting of the Agenda Development Team will occur sometime during the first 2 weeks of July.

The TSC noted the importance of co-locating meetings and collaborating. One outcome of the previous co-located meeting with the NTOC was that a representative from the TSC was supposed to be invited to attend the regular NTOC teleconferences. Carol will contact the Region 7 NTOC representative to follow up on this.

Dave thanked the lead panelists for persevering through the technical difficulties during their presentations, and Monica thanked Mike for facilitating the co-location of this meeting with the Region 8 RTOC meeting. The meeting was adjourned at 3:08 p.m.

TSC Action Items

- ✧ The newly formed workgroup to develop materials for the 2017 Tribal Lands and Environment Forum will meet during the week of June 26. Kristen will coordinate the teleconferences, graphics and products for the workgroup.
- ✧ Bob will research projects on cyanobacteria occurring in his region and email the information to the TSC members.
- ✧ Orville will send information to the TSC members about work on cyanobacteria in Alaska.
- ✧ Monica will research Region 9 tribal citizen science efforts.
- ✧ Carol will contact the Region 7 NTC representative to follow up on a TSC representative being invited to attend the regular NTOC teleconferences.
- ✧ Representatives from the TSC will meet with representatives from ITEP after the TSC has determined an appropriate training focus for the fall meeting.
- ✧ The TSC monthly teleconference will be changed to the third Tuesday of each month.

**National EPA-Tribal Science Council (TSC) Spring 2017 Face-to-Face Meeting
PARTICIPANTS LIST**

Jeff Mears

TSC Tribal Co-Chair
Oneida Nation (Region 5)

Dave Jewett

TSC EPA Co-Chair
U.S. Environmental Protection Agency
Office of Research and Development

Mark Anderson (via teleconference)

Rocky Mountain Region Pediatric Environmental
Health Specialty Unit

Ted Coopwood (via teleconference)

TSC Member
U.S. Environmental Protection Agency
Office of Children's Health Protection

Michael Durglo

TSC Member
Confederated Salish and Kootenai Tribes (Region 8)

Suzanne Fluharty

National Tribal Toxics Council
Yurok Tribe

Fred Hauchman

U.S. Environmental Protection Agency
Office of Research and Development

Amanda Hauff

U.S. Environmental Protection Agency
Office of Chemical Safety and Pollution Prevention

Robert (Bob) Hillger

TSC Member
U.S. Environmental Protection Agency
Region 2

Luke Hullinger

TSC Member
U.S. Environmental Protection Agency
Region 5

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Michelle Reichmuth (via teleconference)

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